

# Order

Michigan Supreme Court  
Lansing, Michigan

January 29, 2014

Robert P. Young, Jr.,  
Chief Justice

147377

Michael F. Cavanagh  
Stephen J. Markman  
Mary Beth Kelly  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 147377  
COA: 311244  
Kent CC: 11-008862-FC

REGAN ADAM REYNOLDS,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the May 16, 2013 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the sentences of the Kent Circuit Court and REMAND this case to the trial court for resentencing. When scoring Offense Variables 12 and 13 of the sentencing guidelines, the trial court considered the defendant's conspiracy conviction to be a crime against a person. A conspiracy conviction cannot be scored as a crime against a person pursuant to *People v Bonilla-Machado*, 489 Mich 412 (2011), and *People v Pearson*, 490 Mich 984 (2012). On remand, the trial court shall score OV 12 at 1 point and OV 13 at 0 points. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



s0122

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 29, 2014

  
Clerk